

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 1:05CR461
)	
BEURN DAPHNE FERDINAND,)	
)	
Defendant.)	

STATEMENT OF FACTS

The United States and the defendant, Beurn Daphne Ferdinand, agree that, had this matter proceeded to trial, the United States would have proven the following facts beyond a reasonable doubt:

1. From before February 2004 through June 2005, the defendant's co-conspirator was employed as a Care Team Specialist by INOVA Alexandria Hospital, which is located in Alexandria, Virginia, within the Eastern District of Virginia.
2. While working at the hospital, the co-conspirator obtained the individually identifiable personal information of approximately 100 Intermediate Medical Care Unit patients and employees including data such as dates of birth and Social Security numbers, without the patients' or employees' authorization or consent. Approximately 29 of the patients were senior citizens. Eight since have passed away.
3. On approximately 50 occasions between March 2004 through June 2004, while in New York and using cell phones registered in her name, the defendant called her co-conspirator at the hospital. A number of these calls lasted more than 30 minutes. The co-conspirator

disclosed the individually identifiable personal information referenced above to the defendant during some of those phone calls.

4. During the conspiracy, the defendant and her co-conspirator used the stolen individually identifiable personal information of 44 patients and seven employees of INOVA Alexandria Hospital to establish new credit card accounts in many of their names. The defendant and her co-conspirator also used the personally identifiable information to add female names, which they represented as their names, to some of the victims' existing credit card accounts. Then the defendant or her co-conspirator would request new cards from the issuer, claiming that prior cards the company had issued to the rightful cardholder had been lost or never received. To conceal their fraud, the defendant and her co-conspirator would (1) change existing accounts' billing information from the rightful cardholders' addresses to the defendant's, the co-conspirator's, or an acquaintance of the defendant's, and (2) use those same addresses when opening new fraudulent accounts, obtaining additional cards, and providing addresses for shippers to send purchased items.

5. The defendant carried out most of the above-described fraudulent activity relating to the credit card accounts, although her co-conspirator, who had obtained all of the victims' individually identifiable personal information, conducted some of that activity.

6. Using the methods described above, the defendant and her co-conspirator were able to use fraudulently the accounts to buy luxury items and other consumer goods and to pay for personal expenses. The purchases included the following items, among others: Cartier watches and jewelry, an Omega watch, Dell Computer Corporation Flat Screen Television Sets,

Flat Screen Computer Monitors, Computer Loudspeakers and a Home Theater Speaker System.

In all, the defendant and her co-conspirator caused the victims more than \$200,000 in actual losses.

7. The following financial institutions and credit issuers were victimized by the scheme: HSBC Household Bank, Sears/Citibank, American Express, Bank of America, Chase Bank, Discover, MBNA Bank, and GE Consumer Finance. Among others, the following retailers and service providers also suffered financial losses: Saks Fifth Avenue, Dell Computer Corporation, Rite Aid Corporation, Verizon Wireless, Sprint PCS, Cingular Wireless and Payless Shoe Source.

8. As noted in paragraph four above, the defendant and her co-conspirator stole and used the individually identifiable personal information of at least 44 INOVA Hospital patients. For example, Mona K. was a patient at Alexandria Hospital in the Intermediate Medical Care Unit on May 14-15 of 2004. The defendant's co-conspirator obtained her identifying information and transferred it to the defendant by telephone. On about May 16, 2004, the defendant obtained the victim's Master Card number and used it on June 24, 2004, to pay the fines for New York City parking tickets that had been issued to the defendant's Toyota Camry. On or about May 1 through May 4, 2005, Phyllis D. was an INOVA Intermediate Medical Care Unit patient. The defendant's co-conspirator obtained Phyllis D.'s identifying information and used it to open four American Express accounts. On or about May 18 and 19, the defendant's co-conspirator purchased various items at the Home Depot and Giant Grocery stores near her house in Maryland.

9. The defendant's actions as described above were undertaken knowingly and intentionally and not by mistake or accident or for any other innocent reason.

Respectfully submitted,

Paul J. McNulty
United States Attorney

By: _____
Louis J. Ruffino
Special Assistant United States Attorney

Defendant's Stipulation and Signature

After consulting with my attorney and pursuant to the plea agreement I entered into this day with the United States, I hereby stipulate that the above statement of facts is true and accurate. I further stipulate that, had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.

Date: _____

Beurn Daphne Ferdinand
Defendant

Defense Counsel's Signature

I am Beurn Daphne Ferdinand's attorney. I have carefully reviewed the above statement of facts with her. To my knowledge, her decision to stipulate to these facts is an informed and voluntary one.

Date: _____

Crystal A. Meleen, Esquire
Counsel for the Defendant